

certified U.S. mail, stating the reason(s) why the Commission intends to deny the application. If the applicant submits a written request for hearing on the proposed denial within twenty (20) days after receipt of notification, such hearing shall be granted by the Commission pursuant to its Rules of Practice and Procedure contained in part 502 of this chapter. Otherwise, denial of the application will become effective and the applicant shall be so notified by certified U.S. mail. Civil penalties for violations of the Act or any Commission order, rule or regulation may be assessed in accordance with subpart W of part 502 of this chapter in any proceeding on the proposed denial of a license or may be compromised for any such violation when a proceeding has not been instituted.

[49 FR 36297, Sept. 14, 1984, as amended at 58 FR 27213, May 7, 1993]

**§ 510.16 Revocation or suspension of license.**

(a) *Grounds for revocation.* Except for the automatic revocation for termination of a surety bond under § 510.14(d), or as provided in § 510.14(c), a license may be revoked or suspended after notice and hearing for any of the following reasons:

(1) Violation of any provision of the Act, or any other statute or Commission order or regulation related to carrying on the business of forwarding;

(2) Failure to respond to any lawful order or inquiry by the Commission;

(3) Making a willfully false or misleading statement to the Commission in connection with an application for a license or its continuance in effect;

(4) Where the Commission determines that the licensee is not qualified to render freight forwarding services;

(5) Failure to honor the licensee's financial obligations to the Commission, such as for civil penalties assessed or agreed to in a settlement agreement under subpart W of part 502 of this chapter; or

(6) Failure to file an anti-rebate certification as required by § 510.25 and part 582 of this chapter. Any licensed freight forwarder who fails to file an anti-rebate certification will be notified by FEDERAL REGISTER publication and by certified mail that if within

forty-five (45) days from the date the certified notice is mailed the licensee does not either establish that the required anti-rebate certification was filed in accordance with § 510.25 and part 582 of this chapter or file the required anti-rebate certification, its license will be suspended until such time as it is reinstated by the Commission after an anti-rebate certification is filed. The license of any freight forwarder who files an anti-rebate certification after December 31 but before the end of the forty-five (45) days notice period will not be suspended; however, the licensee will be subject to civil penalties as provided in part 582 of this chapter. After the forty-five (45) days, any licensee that still does not have an anti-rebate certification on file with the Commission will be notified by FEDERAL REGISTER publication and certified mail, return receipt requested, that its license has been suspended.

(b) *Civil penalties.* As provided for in subpart W of part 502 of this chapter, civil penalties for violations of the Act or any Commission order, rule, or regulation may be assessed in any proceeding to revoke or suspend a license and may be compromised when such a proceeding has not been instituted.

(c) *Notice of revocation.* The Commission shall publish in the FEDERAL REGISTER a notice of each revocation.

[49 FR 36297, Sept. 14, 1984, as amended at 55 FR 35318, Aug. 29, 1990; 57 FR 39623, Sept. 1, 1992; 58 FR 27213, May 7, 1993]

**§ 510.17 Application after revocation or denial.**

Whenever a license has been revoked or an application has been denied because the Commission has found the licensee or applicant to be not qualified to render forwarding services, any further application within 3 years of the date of the most recent conduct on which the Commission's notice of revocation or denial was based, made by such former licensee or applicant or by another applicant employing the same qualifying individual or controlled by persons on whose conduct the Commission based its determination for revocation or denial, shall be reviewed directly by the Commission.